

THURSDAY, JANUARY 13, 1983

THIRD ORGANIZATIONAL DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Billy McCool, Apostolic Church, Knoxville, Tennessee.

Representative Owen led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 95

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

The Speaker announced that Representative Bragg was excused because of legislative business.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate

**THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

Joint Resolution No. 7; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Joint Resolution No. 7.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos:

13--Relative to Joint Convention, Governor's message, budget;

16--Relative to recess, 93rd General Assembly; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**RESOLUTIONS LYING OVER**

House Joint Resolution No. 7--Relative to congratulating Marion County High School football team.

On motion of Mrs. Duer, the resolution was adopted.

A motion to reconsider was tabled.

House Joint Resolution No. 8--Relative to proclaiming Big Brother, Big Sister Week.

On motion of Mr. Wood, the resolution was adopted.

A motion to reconsider was tabled.

Senate Joint Resolution No. 5--Relative to congratulating The Daily Times, Maryville.

On motion of Mr. Stafford the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 13--Relative to Joint Convention, Governor's message, budget.

Mr. Henry moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 13, which motion prevailed.

On motion, the resolution was concurred in.

**THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

A motion to reconsider was tabled.

Senate Joint Resolution No.16--Relative to recess, 93rd General Assembly.

Mr. Henry moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 16, which motion prevailed.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Representatives Cobb, McKinney, Owen, and Severance asked to be recorded as voting "no" on the resolution.

Mr. Sir moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 10 out of order, which motion prevailed.

House Joint Resolution No. 10--Relative to congratulating Lincoln High School football team--By Sir and DePriest.

Mr. Sir moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 10, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Sir moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 11 out of order, which motion prevailed.

House Joint Resolution No.11--Relative to designating February as "American History Month"--By Sir and Tanner.

Mr. Sir moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 11, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Chiles moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 12 out of order, which motion prevailed.

House Joint Resolution No.12--Relative to congratulating Vanderbilt University football team--By Chiles, Cobb and Murphy.

## **THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

Mr. Chiles moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 12, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Owen asked to be recorded as voting "no" on the resolution.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 14, out of order, which motion prevailed.

House Joint Resolution No. 14--Relative to congratulating Charlie and Cornelia Pope--By Love.

Mr. Love moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 14, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Smith moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 20, out of order, which motion prevailed.

House Joint Resolution No. 20--Relative to congratulating Steve Hall--By Smith, Drew, Miller, Scruggs, Severance, Hudson and Robertson.

Mr. Smith moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 20, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

### **UNFINISHED BUSINESS**

#### **APPOINTMENT OF INAUGURAL COMMITTEE**

The Speaker announced that he had appointed the following House Members to the Inaugural Committee: Representatives Henry, Chairman; Webb, Robinson (Hamilton), Shockley and Montgomery.

#### **ELECTION OF MEMBERS TO FISCAL REVIEW COMMITTEE**

In accordance with Chapter 7, Title 3, Tennessee Code Annotated, authorizing the election of the Fiscal Review Committee, such election

## THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY

was held and the following members from the two major political parties were elected.

Mr. McKinney nominated Messrs. McKinney, Rhinehart, Kernell, Johnson and DePriest of the Democratic Party.

Mr. Stafford nominated Messrs. Copeland, Bewley, Ford and Scruggs of the Republican Party.

The Clerk called the roll with the following results:

For Nominees . . . . .	91
Present and not voting . . . . .	4

Representatives voting for the nominees were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representatives present and not voting were: DeBerry, Drew, Jones and King (Shelby)--4.

Mr. Speaker McWherter declared that Messrs. McKinney, Rhinehart, Kernell, Johnson, DePriest, Ford, Bewley, Copeland, and Scruggs were duly elected to the Fiscal Review Committee for the ensuing two years.

A motion to reconsider was tabled.

### APPOINTMENT OF STANDING COMMITTEES

The Speaker announced that he had appointed the following standing committees:

#### AGRICULTURE COMMITTEE

Pickering, Chairman; DePriest, Vice-Chairman; Davis (Gibson), Secretary; Henry, Huskey, Robinson (Washington), Stafford and Wolfe.

#### COMMERCE COMMITTEE

Murray, Chairman; Tanner, Vice-Chairman; Crain, Secretary; Anderson, Bivens, Byrd, Copeland, Dixon, Drew, Frensley, Gafford, Hudson, Jones, Kisber, Naifeh, Napier, Nance, Phillips, Rhinehart, Severance,

## **WEDNESDAY, JANUARY 12, 1952--2nd ORGANIZATIONAL DAY**

Irley, Smith, Webb, Wheeler and Wood.

### **CONSERVATION & ENVIRONMENT COMMITTEE**

Hillis, Chairman; Johnson, Vice-Chairman; Owen, Secretary; Atchley, Bewley, Crain, Dills, Disspayne, Duer, Ellis, Gill, Huskey, McAfee, McNally, Miller, Moore (Shelby), Percy, Robinson (Davidson), Stoverance, Shockley, Sir, Turner and Wolfe.

### **EDUCATION COMMITTEE**

Work, Chairman; Stallings, Vice-Chairman; Jared, Secretary; Bivens, Cobb, Davis (Gibson), Davis (Hamilton), Elsea, Hassell, Herndon, Kelley, King (Shelby), McNally, Moore (Sullivan), Robinson (Hamilton), Shockley, Starnes, Whitson and Wood.

### **FINANCE, WAYS & MEANS COMMITTEE**

Bragg, Chairman; Rhinehart, Vice-Chairman; Cobb, Secretary; Bewley, Brewer, Burnett, Copeland, Davidson, Dills, Henry, Hillis, Hurley, Johnson, Jones, Kelley, Kent, King (Washington), Love, McKinney, Murray, Owen, Robinson (Hamilton), Smith, Wallace, Webb, Work and Yelton.

### **GENERAL WELFARE COMMITTEE**

Starnes, Chairman; DeBerry, Vice-Chairman; Bell, Secretary; Chiles, DePriest, Ford, Gill, Harrill, Montgomery, Robinson (Washington) and Wheeler.

### **GOVERNMENT OPERATIONS COMMITTEE**

Davis (Hamilton), Chairman; King (Shelby), Vice-Chairman; Covington, Secretary; Chiles, Davidson, DeBerry, Disspayne, Duer, Kernell, Moore (Shelby), McAfee, Moore (Sullivan), Seruggs, Stafford, Ussery and Wix.

### **JUDICIARY COMMITTEE**

Murphy, Chairman; Turner, Vice-Chairman; Davis (Pickett), Secretary; Buck, Burnett, Clark (Davidson), King (Washington), Napier, Robertson, Seruggs, Sir and Williams.

### **LABOR & CONSUMER AFFAIRS COMMITTEE**

Ellis, Chairman; Clark (Davidson), Vice-Chairman; Kernell, Secretary; Atchley, Drew, Gaia, Nance, Pruitt and Williams.

### **STATE & LOCAL GOVERNMENT COMMITTEE**

Miller, Chairman; Love, Vice-Chairman; Gaia, Secretary; Anderson, Bell, Byrd, Clark (Sumner), Covington, Dixon, Ford, Hassell, Hudson, Kent, Kisber, McKinney, Montgomery, Murphy, Naifeh, Phillips, Pruitt, Robertson, Shirley, Tanner and Wallace.

**THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

**TRANSPORTATION COMMITTEE**

Robinson (Davidson), Chairman; Buck, Vice-Chairman; Yelton, Secretary; Bragg, Brewer, Clark (Sumner), Davis (Pickett), Elsea, Frensley, Gafford, Harrill, Herndon, Hurley, Jared, Percy, Pickering, Ussery, Whitson and Wix.

**CALENDAR & RULES COMMITTEE**

Gill, Chairman; Phillips, Vice-Chairman; and Naifeh, Secretary.

Under the rules, the committee is composed of the following members: Bell, Buck, Bragg, Clark (Davidson), Cobb, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Ellis, Gaia, Hillis, Jared, Johnson, Kernell, King (Shelby), Love, Miller, Murphy, Murray, Owen, Pickering, Rhinehart, Robinson (Davidson), Stallings, Starnes, Tanner, Turner, Work and Yelton.

**RESOLUTIONS LYING OVER**

House Joint Resolution No. 4--Relative to memory, John W. Fields, Jr.

Under the rules, House Joint Resolution No. 4 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 5--Relative to memory, C.R. Black.

Under the rules, House Joint Resolution No. 5 was referred to the Committee on Calendar and Rules.

**SECOND ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 93

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

**INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 9--Relative to commending Leon Creech--By Henry.

Under the rules, House Joint Resolution No. 9 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 13--Relative to study, waivers for oversized classes, public schools--By Bivens.

The Speaker referred House Joint Resolution No. 13 to the Committee on Education.

**INTRODUCTION OF BILLS**

House Bill No. 42--To provide for college courses, certain public high schools--By Duer, Henry and McNally.

Passed first consideration.

House Bill No. 43--To make child pornography a felony--By Hassell and Kent.

Passed first consideration.

House Bill No. 44--To set terms of officials, certain municipalities--By Moore (Shelby).

Passed first consideration.

House Bill No. 45--To make certain provisions, advertising structures--By Bragg, Buck and Johnson.

Passed first consideration.

House Bill No. 46--To make certain provisions, Civil Service interviews--By Murphy.

Passed first consideration.

The Speaker announced that the following bills, which were held pending the appointment of appropriate committees, had been referred to committees as follows:

House Bill No. 1--Finance, Ways and Means

House Bill No. 2--Judiciary

House Bill No. 3--Judiciary

House Bill No. 4--Judiciary



**THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

House Bill No. 5--Judiciary

House Bill No. 6--Judiciary

House Bill No. 7--Government Operations

House Bill No. 8--Judiciary

House Bill No. 9--State and Local Government

House Bill No. 10--Education

House Bill No. 11--General Welfare

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 12--To levy tax on lodgings, Harriman.

Passed second consideration and held on desk.

House Bill No. 13--To make certain provisions, absentee ballots.

Passed second consideration and referred to Committee on State and Local Government

House Bill No. 14--To amend Section 14-10-127, Code.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 15--To make certain provisions, inheritance taxation.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 16--To transfer certain juveniles to criminal court.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 17--To prohibit possession of certain weapons, school property.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 18--To prohibit carrying of certain weapons, school property.

Passed second consideration and referred to Committee on Judiciary.

## **THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

House Bill No. 19--To provide for membership, certain housing authorities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 20--To regulate alcoholic beverages.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 21--To provide property tax relief, certain taxpayers.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 22--To regulate interest rates, improvement bonds.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 23--To admit certain evidence, civil or criminal proceedings.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 24--To repeal Presidential Convention Delegate Act.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 25--To place certain regulations, alcoholic beverages.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 26--To provide for membership, certain housing authorities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 27--To regulate retail sale, alcoholic beverages.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 28--To grant certain power, Lexington-Henderson

**THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

House Bill No. 5--Judiciary

House Bill No. 6--Judiciary

House Bill No. 7--Government Operations

House Bill No. 8--Judiciary

House Bill No. 9--State and Local Government

House Bill No. 10--Education

House Bill No. 11--General Welfare

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 12--To levy tax on lodgings, Harriman.

Passed second consideration and held on desk.

House Bill No. 13--To make certain provisions, absentee ballots.

Passed second consideration and referred to Committee on State and Local Government

House Bill No. 14--To amend Section 14-10-127, Code.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 15--To make certain provisions, inheritance taxation.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 16--To transfer certain juveniles to criminal court.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 17--To prohibit possession of certain weapons, school property.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 18--To prohibit carrying of certain weapons, school property.

Passed second consideration and referred to Committee on Judiciary.

**THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

House Bill No. 19--To provide for membership, certain housing authorities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 20--To regulate alcoholic beverages.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 21--To provide property tax relief, certain taxpayers.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 22--To regulate interest rates, improvement bonds.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 23--To admit certain evidence, civil or criminal proceedings.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 24--To repeal Presidential Convention Delegate Act.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 25--To place certain regulations, alcoholic beverages.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 26--To provide for membership, certain housing authorities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 27--To regulate retail sale, alcoholic beverages.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 28--To grant certain power, Lexington-Henderson

**THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

County Hospital trustees.

Passed second consideration and held on desk.

House Bill No. 29--To create new court, second chancery division.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 30--To make certain provisions, raccoon hunting.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 31--To make certain provisions, stolen motor vehicles.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 32--To prohibit adulteration, certain substances.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 33--To enact Equal Access to Justice Act.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 34--To regulate foreign owned or directed corporations.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 35--To amend Criminal Sentencing Reform Act.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 36--To regulate abolition of municipal charters.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 37--To enact the Conservation Corps Act.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 38--To provide restitution, certain delinquency

**THURSDAY, JANUARY 13, 1983--3rd ORGANIZATIONAL DAY**

cases.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 39--To make felony, vandalism of correctional facilities.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 40--To amend Section 49-609 (f), Code.

Passed second consideration and referred to Committee on Education.

House Bill No. 41--To amend Charter, Covington.

Passed second consideration and held on desk.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolutions Nos. 7, 8, 10, 11, 12, 14, and 20; and find same correctly engrossed and ready for transmission to the Senate.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 13--Dills

House Joint Resolution No. 12--Wallace, Kisber, Phillips.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m., Saturday, January 15, 1983.